

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

WILLIAM M. MCGINNIS,)	
)	
Plaintiff,)	8:04CV509
)	
vs.)	ORDER
)	
UNION PACIFIC RAILROAD COMPANY,)	
)	
Defendant.)	

These matters are before the court on the defendant's Motion to Amend Amended Answer and Affirmative Defenses (Filing No. 46) and Motion to Amend Scheduling Order (Filing No. 44).

The defendant separately filed a brief in support of its Motion to Amend Amended Answer and Affirmative Defenses in accordance with NECivR 7.1(a)(1)(A) (Filing No. 47). The defendant also separately filed a signed copy of the proposed Second Amended Answer and Affirmative Defenses which was docketed as the "Second Amended Answer." (Filing No. 48). NECivR 15.1(a) requires an unsigned copy of a proposed amended pleading be filed as an attachment to a motion to amend a pleading.

Upon consideration,

IT IS ORDERED:

1. The Clerk of Court shall amend the docket to redesignate Filing No. 48 as the defendant's "Proposed Second Amended Answer."
2. A telephone conference with the undersigned magistrate judge will be held on **September 9, 2005, at 9:00 a.m. Central Daylight Time** for the purpose of reviewing the pending Motion to Amend Scheduling Order (Filing No. 44). Attorney Scott Moore shall initiate the telephone conference.

DATED this 25th day of August, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge